

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

2010 JAN 12 AM 9:50

WILLIE S. LEE, III,

Plaintiff,

vs.

JOHNNY SMITH; LARRY WAGNER;  
WILLIAM BROWN; and DONNY  
CARSWELL,

Defendants.


CIVIL ACTION NO.: CV608-103

**ORDER**

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Defendants' Pre-answer Motion to Dismiss Plaintiff's Complaint is **DENIED**. Defendants shall file their answers and defenses to Plaintiff's Complaint within twenty-one (21) days of the date of this Order.

SO ORDERED, this 12<sup>th</sup> day of Jan, 2010.

  
B. AVANT EDENFIELD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA